

OPEN MEETING POLICIES

PURPOSE

The Newport Beach City Council and certain Boards, Commissions and Committees are required to comply with the Ralph M. Brown Act (Brown Act). The Brown Act requires public entities to deliberate and take action, in open session. The City Council has adopted these rules to ensure compliance with the Brown Act and to promote full citizen participation in the discussions and decisions of their elected and appointed representatives.

POLICY

- A. Regular Meetings. The City Council shall hold regular meetings on the second and fourth Tuesdays of each month except in December when the only meeting will be held on the second Tuesday. The meetings shall be held in the Council Chambers of the City Hall, 3300 Newport Boulevard in the City of Newport Beach. The regular meeting shall begin at 4:00 p.m., or as otherwise scheduled due to the demand of business, for Study Session, Closed Session to follow immediately thereafter, recess after Closed Session, and reconvene at 7:00 p.m. The City Council may hold a regular meeting, special meeting, or adjourned regular or special meeting at another location within the City, or locations outside the jurisdiction of the City provided appropriate notice is given pursuant to, and the location of the meeting is consistent with, the Brown Act. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hours on the following business day.
- B. All regular, special and adjourned meetings of the City Council, Boards, Commissions, and Committees created by the Charter or formal action of the City Council and which have continuing subject matter jurisdiction shall be called, noticed and conducted in compliance with the Brown Act.
- C. Regular City Council Meeting Agenda.
 - 1. Staff shall provide the City Clerk with the title and recommendation of all items to be placed on a regular Council meeting agenda no later than 5:00 p.m. two Fridays before the next regular City Council meeting. The City Clerk shall prepare the regular meeting agenda of all such matters under the direction of the City Manager. This agenda shall be delivered to the City Council Members on the Wednesday preceding the Tuesday Council meeting to which it pertains.

The agenda and staff reports will be available for the public and media in the Office of the City Clerk no later than 8:30 a.m. on the Thursday preceding the meeting, except for supplemental agenda items which will be available no later than 5:00 p.m. on the Friday preceding the meeting. The City Clerk shall insure delivery of all supplemental staff reports to the Central Library before close of business on Friday.

2. Members of the City Council may place items on the agenda for discussion by submitting a title or topic sufficient to satisfy the requirements of the Brown Act on or before 5:00 p.m. on the Thursday preceding the meeting at which the item is to be discussed. These items will appear under the section of the agenda titled, "Matters which Council Members Would Like Placed on a Future Agenda for Discussion, Action, or Report (Non-discussion Item)." The City Clerk shall prepare a supplemental agenda listing all discussion items if the discussion item was received after the cutoff time for the regular meeting agenda.
3. The regular meeting agenda shall contain a brief description of each item of business to be transacted or discussed and a statement that members of the public may offer testimony as to any matter on the agenda and may speak on non-agenda items during the public comment section of the agenda. The regular and supplemental agenda shall be posted on the bulletin board outside the main entrance of City Hall, at least 72 hours before each regular meeting, and the City Clerk shall maintain records of the name of the person posting the agenda, and the date and time of posting.
4. As a general rule, members of the City Council will ask that a matter be scheduled for a report and/or discussion prior to requesting the matter be placed on the agenda for action. However, the Council may, given appropriate circumstances, vote to place a matter on a future regular meeting agenda for action without prior discussion or report.

CLOSED SESSION AGENDA

The closed session agenda shall be prepared by the City Attorney. The closed session agenda shall strictly conform to the format specified in the Brown Act. The City Attorney shall prepare a written report, or give an oral report, of any action taken in closed session that is required to be reported in open session by the Brown Act.

COUNCIL CORRESPONDENCE

The City Clerk is authorized to open and examine all mail or other written communications addressed to the City Council and to immediately give a copy to the City Manager. The City Manager shall give immediate attention to administrative business referred to in the communication that does not require Council action and may be promptly concluded or shall prepare a staff report for the next available Council meeting.

ORDER OF BUSINESS

The agenda for regular meetings of the City Council shall contain the following items in the order listed:

Study Session

Closed Session - After Study Session – Council Chambers Conference Room

Recess

Reconvene at 7:00 p.m. for Regular Meeting

Roll Call

Closed Session Report

Pledge of Allegiance

Invocation

Presentations

Notice to the Public

City Council Announcements or Matters Which Council Members Would Like Placed on a Future Agenda for Discussion, Action or Report (Non-discussion Item)

Consent Calendar:

- A. Reading of Minutes/Ordinances and Resolutions
- B. Ordinances for Introduction
- C. Ordinances for Adoption
- D. Resolutions for Adoption
- E. Contracts and Agreements
- F. Miscellaneous (For example: Planning Commission Agendas, budget amendments, and permit applications)

Items Removed from the Consent Calendar

Oral Reports from City Council on Committee Activities

Public Hearings

Public Comments

Continued Business

Current Business

Motion for Reconsideration

Continued Closed Session, if necessary (report if applicable)

Adjournment

The order of business shall not be changed except by majority vote of the City Council.

PREPARATION OF MINUTES

The City Clerk shall have the exclusive responsibility for preparation of the minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

READING OF MINUTES

Unless the reading of the minutes of a Council meeting is ordered by a majority vote of the Council, such minutes may be approved without reading if the City Clerk previously furnished each Council Member with a copy.

Adopted - November 13, 1967

Amended - March 28, 1994

Amended - June 13, 1977

Amended - June 27, 1994

Amended - October 25, 1977

Amended - December 12, 1994

Amended - February 9, 1981

Amended - February 26, 1996

Amended - December 9, 1996

Amended - May 26, 1998

Amended - November 8, 1999 (eff. 1/1/2000)

Amended - March 14, 2000

Amended - February 27, 2001

Amended - March 27, 2001

Amended - August 28, 2001

Amended - January 27, 2004

Amended - March 9, 2004

Amended - March 28, 2006

Amended - February 26, 2008

Amended - October 27, 2009